

(c) Report

The Center shall annually report to the Congress, the Secretary of Education, and the Secretary of Labor on the activities of the Center. (Pub. L. 102-325, title XV, § 1512, July 23, 1992, 106 Stat. 831.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2404 of this title.

§ 2403. Use of funds**(a) Center activities**

Payments made under this chapter may be used to establish and operate the Center, to bring together major independent researchers from the Center's member-institutions focused on the most significant workplace problems with the aim of analysis and synthesis of policy implications and dissemination of findings, and to support the following activities:

(1) The coordination and funding of research activities of the Center's member-institutions for collaborative collection and evaluation of data on changes and trends in the workplace and in the labor force, on established and emerging public policy issues, on the economic and occupational structures, and on work organizations and employment conditions.

(2) The analysis of the public policy implications of social and demographic changes in the United States as they relate to the workplace.

(3) The conduct of seminars for Federal and State policymakers on policy implications of the Center's findings. Such seminars shall be held not more frequently than once each year. In addition, the Center shall utilize electronic technology, such as computer networks and video conferencing, to convey the cumulative value of the Center's activities from year to year and to foster continuous exchange of ideas and information.

(4) The conduct of a National Conference on employment policy not more frequently than once each year for the leaders of business and organized labor in the United States designed to convey the cumulative value of the Center's activities and to foster an exchange of ideas and information.

(5) The nonpartisan evaluation of the economic and social implications of national and international workplace and employment issues.

(6) The provision of ready access to the Center's collective expertise for policy officials in the Federal and State governments and representatives of private and public sector organizations through meetings, publications, special reports, video conferences, electronic mail and computer networks, and other means to share up-to-date information on workplace and employment issues, practices, and innovations, the most promising options, and guidance in management of the change process.

(7) The development of programs, curricula, and instructional materials for colleges, universities, and other educational institutions designed to impart the knowledge and skills required to promote innovations in the design of work and employment conditions that enhance organizational performance and meet worker needs.

(8) The development and administration of a national repository of information on key workplace issues that can be readily accessed by the public and private sector.

(b) Fellowships

Grant funds awarded under this chapter¹ may also be used to provide graduate assistantships and fellowships at the Center to encourage graduate study of the field of employment policy and to encourage graduate research in areas that are seen as critical to national competitiveness.

(Pub. L. 102-325, title XV, § 1513, July 23, 1992, 106 Stat. 832.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original "this title", meaning title XV of Pub. L. 102-325, which has been translated as reading this part to reflect the probable intent of Congress.

§ 2404. Gifts and donations

The Center is authorized to receive money and other property donated, bequeathed, or devised to the Center with or without a condition of restriction, for the purpose of furthering the activities of the Center. All funds or property given, devised, or bequeathed shall be retained in a separate account, and an accounting of those funds and property shall be included in the annual report submitted pursuant to section 2402(c) of this title.

(Pub. L. 102-325, title XV, § 1514, July 23, 1992, 106 Stat. 833.)

§ 2405. Authorization**(a) In general**

There are authorized to be appropriated \$2,500,000 for fiscal year 1993 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this chapter.

(b) Availability

Funds appropriated pursuant to the authority of subsection (a) of this section shall remain available until expended.

(Pub. L. 102-325, title XV, § 1515, July 23, 1992, 106 Stat. 833.)

CHAPTER 27—WOMEN IN APPRENTICESHIP AND NONTRADITIONAL OCCUPATIONS

Sec.	
2501.	Findings; statement of purpose. <ul style="list-style-type: none"> (a) Findings. (b) Purpose.
2502.	Outreach to employers and labor unions. <ul style="list-style-type: none"> (a) In general. (b) Priority.
2503.	Technical assistance. <ul style="list-style-type: none"> (a) In general. (b) Selection of employer and labor unions.
2504.	Competitive grants. <ul style="list-style-type: none"> (a) In general. (b) Priority.
2505.	Applications.
2506.	Liaison role of Department of Labor.
2507.	Study of barriers to participation of women in apprenticeable occupations and nontraditional occupations.

¹ See References in Text note below.

Sec.

- (a) Study.
- (b) Report.

2508. Definitions.

2509. Technical assistance program authorization.

SHORT TITLE

Section 1 of Pub. L. 102-530 provided that: “This Act [enacting this chapter] shall be cited as the ‘Women in Apprenticeship and Nontraditional Occupations Act’.”

§ 2501. Findings; statement of purpose**(a) Findings**

The Congress finds that—

(1) American businesses now and for the remainder of the 20th century will face a dramatically different labor market than the one to which they have become accustomed;

(2) two in every three new entrants to the work force will be women, and to meet labor needs such women must work in all occupational areas including in apprenticeable occupations and nontraditional occupations;

(3) women face significant barriers to their full and effective participation in apprenticeable occupations and nontraditional occupations;

(4) the business community must be prepared to address the barriers that women have to such jobs, in order to successfully integrate them into the work force; and

(5) few resources are available to employers and unions who need assistance in recruiting, training, and retaining women in apprenticeable occupations and other nontraditional occupations.

(b) Purpose

It is the purpose of this chapter to provide technical assistance to employers and labor unions to encourage employment of women in apprenticeable occupations and nontraditional occupations. Such assistance will enable business to meet the challenge of Workforce 2000 by preparing employers to successfully recruit, train, and retain women in apprenticeable occupations and nontraditional occupations and will expand the employment and self-sufficiency options of women. This purpose will be achieved by—

(1) promoting the program to employers and labor unions to inform them of the availability of technical assistance which will assist them in preparing the workplace to employ women in apprenticeable occupations and nontraditional occupations;

(2) providing grants to community-based organizations to deliver technical assistance to employers and labor unions to prepare them to recruit, train, and employ women in apprenticeable occupations and nontraditional occupations;

(3) authorizing the Department of Labor to serve as a liaison between employers, labor, and the community-based organizations providing technical assistance, through its national office and its regional administrators; and

(4) conducting a comprehensive study to examine the barriers to the participation of women in apprenticeable occupations and nontraditional occupations and to develop recommendations for the workplace to eliminate such barriers.

(Pub. L. 102-530, § 2, Oct. 27, 1992, 106 Stat. 3465.)

§ 2502. Outreach to employers and labor unions**(a) In general**

With funds available to the Secretary of Labor to carry out the operations of the Department of Labor in fiscal year 1994 and subsequent fiscal years, the Secretary shall carry out an outreach program to inform employers of technical assistance available under section 2503(a) of this title to assist employers to prepare the workplace to employ women in apprenticeable occupations and other nontraditional occupations.

(1) Under such program the Secretary shall provide outreach to employers through, but not limited to, the private industry councils in each service delivery area.

(2) The Secretary shall provide outreach to labor unions through, but not limited to, the building trade councils, joint apprenticeable occupations councils, and individual labor unions.

(b) Priority

The Secretary shall give priority to providing outreach to employers located in areas that have nontraditional employment and training programs specifically targeted to women.

(Pub. L. 102-530, § 3, Oct. 27, 1992, 106 Stat. 3466.)

§ 2503. Technical assistance**(a) In general**

With funds appropriated to carry out this section, the Secretary shall make grants to community-based organizations to provide technical assistance to employers and labor unions selected under subsection (b) of this section. Such technical assistance may include—

(1) developing outreach and orientation sessions to recruit women into the employers' apprenticeable occupations and nontraditional occupations;

(2) developing preapprenticeable occupations or nontraditional skills training to prepare women for apprenticeable occupations or nontraditional occupations;

(3) providing ongoing orientations for employers, unions, and workers on creating a successful environment for women in apprenticeable occupations or nontraditional occupations;

(4) setting up support groups and facilitating networks for women in nontraditional occupations on or off the job site to improve their retention;

(5) setting up a local computerized data base referral system to maintain a current list of tradeswomen who are available for work;

(6) serving as a liaison between tradeswomen and employers and tradeswomen and labor unions to address workplace issues related to gender; and

(7) conducting exit interviews with tradeswomen to evaluate their on-the-job experience and to assess the effectiveness of the program.

(b) Selection of employer and labor unions

The Secretary shall select a total of 50 employers or labor unions to receive technical as-

sistance provided with grants made under subsection (a) of this section.

(Pub. L. 102-530, § 4, Oct. 27, 1992, 106 Stat. 3466.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2502, 2504, 2505, 2506, 2509 of this title.

§ 2504. Competitive grants

(a) In general

Each community-based organization that desires to receive a grant to provide technical assistance under section 2503(a) of this title to employers and labor unions shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(b) Priority

In awarding grants under section 2503(a) of this title, the Secretary shall give priority to applications from community-based organizations that—

- (1) demonstrate experience preparing women to gain employment in apprenticeable occupations or other nontraditional occupations;
- (2) demonstrate experience working with the business community to prepare them to place women in apprenticeable occupations or other nontraditional occupations;
- (3) have tradeswomen or women in nontraditional occupations as active members of the organization, as either employed staff or board members; and
- (4) have experience delivering technical assistance.

(Pub. L. 102-530, § 5, Oct. 27, 1992, 106 Stat. 3467.)

§ 2505. Applications

To be eligible to be selected under section 2503(b) of this title to receive technical assistance provided with grants made under section 2503(a) of this title, an employer or labor union shall submit an application to the Secretary at such time, in such manner and containing or accompanied by such information as the Secretary may reasonably require. At a minimum, the application should include—

- (1) a description of the need for technical assistance;
- (2) a description of the types of apprenticeable occupations or nontraditional occupations in which the employer or labor union would like to train or employ women;
- (3) assurances that there are or will be suitable and appropriate positions available in the apprenticeable occupations program or in the nontraditional occupations being targeted; and
- (4) commitments that reasonable efforts shall be made to place qualified women in apprenticeable occupations or nontraditional occupations.

(Pub. L. 102-530, § 6, Oct. 27, 1992, 106 Stat. 3467.)

§ 2506. Liaison role of Department of Labor

The Department of Labor shall serve as a liaison among employers, labor unions, and community-based organizations. The liaison role may include—

(1) coordination of employers, labor unions, and community-based organizations with respect to technical assistance provided under section 2503(a) of this title;

(2) conducting regular assessment meetings with representatives of employers, labor unions, and community-based organizations with respect to such technical assistance; and

(3) seeking the input of employers and labor unions with respect to strategies and recommendations for improving such technical assistance.

(Pub. L. 102-530, § 7, Oct. 27, 1992, 106 Stat. 3467.)

§ 2507. Study of barriers to participation of women in apprenticeable occupations and nontraditional occupations

(a) Study

With funds available to the Secretary to carry out the operations of the Department of Labor in fiscal years 1994 and 1995, the Secretary shall conduct a study of the participation of women in apprenticeable occupations and nontraditional occupations. The study shall examine—

- (1) the barriers to participation of women in apprenticeable occupations and nontraditional occupations;
- (2) strategies for overcoming such barriers;
- (3) the retention rates for women in apprenticeable occupations and nontraditional occupations;
- (4) strategies for retaining women in apprenticeable occupations and nontraditional occupations;
- (5) the effectiveness of the technical assistance provided by the community-based organizations; and
- (6) other relevant issues affecting the participation of women in apprenticeable occupations and nontraditional occupations.

(b) Report

Not later than 2 years after October 27, 1992, the Secretary shall submit to the Congress a report containing a summary of the results of the study described in subsection (a) of this section and such recommendations as the Secretary determines to be appropriate.

(Pub. L. 102-530, § 8, Oct. 27, 1992, 106 Stat. 3467.)

§ 2508. Definitions

For purposes of this chapter:

(1) The term “community-based organization” means a community-based organization as defined in section 1503(5) of this title, that has demonstrated experience administering programs that train women for apprenticeable occupations or other nontraditional occupations.

(2) The term “nontraditional occupation” means jobs in which women make up 25 percent or less of the total number of workers in that occupation.

(3) The term “Secretary” means the Secretary of Labor.

(Pub. L. 102-530, § 9, Oct. 27, 1992, 106 Stat. 3468.)

§ 2509. Technical assistance program authorization

There is authorized to be appropriated \$1,000,000 to carry out section 2503 of this title.

(Pub. L. 102-530, § 10, Oct. 27, 1992, 106 Stat. 3468.)

CHAPTER 28—FAMILY AND MEDICAL LEAVE

Sec.

2601. Findings and purposes.

(a) Findings.

(b) Purposes.

SUBCHAPTER I—GENERAL REQUIREMENTS FOR LEAVE

2611. Definitions.

2612. Leave requirement.

(a) In general.

(b) Leave taken intermittently or on reduced leave schedule.

(c) Unpaid leave permitted.

(d) Relationship to paid leave.

(e) Foreseeable leave.

(f) Spouses employed by same employer.

2613. Certification.

(a) In general.

(b) Sufficient certification.

(c) Second opinion.

(d) Resolution of conflicting opinions.

(e) Subsequent recertification.

2614. Employment and benefits protection.

(a) Restoration to position.

(b) Exemption concerning certain highly compensated employees.

(c) Maintenance of health benefits.

2615. Prohibited acts.

(a) Interference with rights.

(b) Interference with proceedings or inquiries.

2616. Investigative authority.

(a) In general.

(b) Obligation to keep and preserve records.

(c) Required submissions generally limited to annual basis.

(d) Subpoena powers.

2617. Enforcement.

(a) Civil action by employees.

(b) Action by Secretary.

(c) Limitation.

(d) Action for injunction by Secretary.

(e) Solicitor of Labor.

2618. Special rules concerning employees of local educational agencies.

(a) Application.

(b) Leave does not violate certain other Federal laws.

(c) Intermittent leave or leave on reduced schedule for instructional employees.

(d) Rules applicable to periods near conclusion of academic term.

(e) Restoration to equivalent employment position.

(f) Reduction of amount of liability.

2619. Notice.

(a) In general.

(b) Penalty.

SUBCHAPTER II—COMMISSION ON LEAVE

2631. Establishment.

2632. Duties.

2633. Membership.

(a) Composition.

(b) Vacancies.

(c) Chairperson and vice chairperson.

(d) Quorum.

2634. Compensation.

(a) Pay.

(b) Travel expenses.

2635. Powers.

(a) Meetings.

(b) Hearings and sessions.

(c) Access to information.

Sec.

(d) Use of facilities and services.

(e) Personnel from other agencies.

(f) Voluntary service.

2636. Termination.

SUBCHAPTER III—MISCELLANEOUS PROVISIONS

2651. Effect on other laws.

(a) Federal and State antidiscrimination laws.

(b) State and local laws.

2652. Effect on existing employment benefits.

(a) More protective.

(b) Less protective.

2653. Encouragement of more generous leave policies.

2654. Regulations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 3 sections 412, 415.

§ 2601. Findings and purposes**(a) Findings**

Congress finds that—

(1) the number of single-parent households and two-parent households in which the single parent or both parents work is increasing significantly;

(2) it is important for the development of children and the family unit that fathers and mothers be able to participate in early child-rearing and the care of family members who have serious health conditions;

(3) the lack of employment policies to accommodate working parents can force individuals to choose between job security and parenting;

(4) there is inadequate job security for employees who have serious health conditions that prevent them from working for temporary periods;

(5) due to the nature of the roles of men and women in our society, the primary responsibility for family caretaking often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men; and

(6) employment standards that apply to one gender only have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

(b) Purposes

It is the purpose of this Act—

(1) to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity;

(2) to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition;

(3) to accomplish the purposes described in paragraphs (1) and (2) in a manner that accommodates the legitimate interests of employers;

(4) to accomplish the purposes described in paragraphs (1) and (2) in a manner that, consistent with the Equal Protection Clause of the Fourteenth Amendment, minimizes the potential for employment discrimination on